LAST EDITION.

MONDAY, EVENING.

TOPEKA, KANSAS, AUGUST 29, 1904.

MONDAY EVENING,

TWO CENTS.

The Russian Army Is Drawn Up in a Valley.

East of Liao Yang About Eleven Miles Distant.

FORCE OF 170,000 MEN.

Await the Attack of Japanese Combined Armies.

Kuropatkin's Report on Fighting of Past Two Days.

Hslaotun, Eleven Miles East of Liao Yang, Aug. 29-The Russian army from An Ping this afternoon debouched upor the Liao Yang plain, after fighting a rear guard action for nearly ten miles from An Ping, bringing its wounded and burying its dead on the way. guns are reported to have been lost, but a number of Japanese were captured.

of the terrible condition of the roads, the Japanese seized the opportunity to attack the slow moving corps and severe fighting occurred August 27-28, in which the Russians lost another oppor-tunity will have to accept a general en-gagement. General Kuropatkin himself

"The Japanese began at dawn August 27, two movements designed to cut off the first and fourth corps. The first, stationed at Anshanshan half way between Hai Cheng and Llao Yang experienced the most serious difficulty owing to bad roads. The Japanese under General Oku tried to flank this corps from the east. In the meanwhile Gen. Kuroki abandoning his pressure of Generals Ivanoff and Herschelmann, drove a wedge between the second and fourth corps, which were stationed west fourth corps, which were stationed west of Laindiansian, a strong defensive position in the hills 24 miles southeast of Lain Yang. The Russians, greatly impeded by their artillery and commission in order to cover the retreat of their impediments to Lino Yang, in which they were successful. The first corps which figured at the battle of Yalu and in the fighting at Mo Tien pass, again sustained the brunt of the fighting and suffered the majority of the losses including General Foutkovsky and Colonel von Raaben.

The First, Second and Fourth corps, combined under the command of Gen. fourth corps, which were stationed west

and Third crops under General Ivanoff, forming the eastern contingent, succeeded in effecting a concentration at Liao Yang without further loss. "The whole six corps, of which two are European troops have now formed a semi-circle within a radius of six or eight miles of Liao Yang." General Kuropatkin has not far short The Steamer Arabia Has Arrived at of 170,000 men.

A Russian Flank Movement. Mukden, Aug. 29.—In the fighting August 26, the 139th Saraisk regiment, with a battery executed a par-ticularly successful flanking move-ment on the Japanese extreme right. The Russians unperceived got in the rear of the Japanese, whole columns of whom were moved before they were able to extricate themselves. Eye witnesses agree in admiring the fanatical bravery of the Japanese. Many of the wounded committed suicide rather than fall into the hands of the Russians. An additional detachment of 600 Russian wounded was sent northward Sunday.

Russian Losses 3,000. Harbin, Manchuria, Aug. 29.—The Russian losses in the fighting of Au-gust 25 and 26, east and south of Liao Yang, were 3,000 killed or wounded. The great majority of the casualties were sustained at An Ping. The with-drawals of the Russians from their front at Anshanshan and from their eastern position was made simultan-eously for strategic reasons.

Abandoned Commissary Stores. London, Aug. 29.—A dispatch to a news agency from Tokio, under to-day's date, in reporting the Japanese occupation of An Ping and Tang-

Wires Open to Liao Yang. St. Petersburg, Aug. 29.—The de-partment of telegraphs informs the Associated Press that the lines are working direct to Liao Yang, thus reng definitely the report that Gen-Kuroki had cut the railroad.

the recent message of encouragement sent to the garrison of Port Arthur, saying that the defenders of the fortress are ready and willing to lay down their lives, adding that the gar-

down their lives, adding that the garrison has already suffered severely and intimating that it is hardly possible to hold out for more than a month or six weeks.

Four more regiments will be raised in the Caucasus. An official announcement to this effect is expected tomorrow. The first contingent of the First army corps has arrived at Harbin. This corps was destined for Vladivostok, but on the urgent request of General Kuropatkin it will be diverted to

eral Kuropatkin it will be diverted to Mukden. From an excellent source it is stated that the ill-starred Russian battleship Oriel, which already has suffered two accidents, will not be able to join the Balitic squadron. According to reports when her engine trials began it was discovered that the engines had been practically wrecked by workmen introducing iron filings into the valves and cylinders. It probably will require many months to reably will require many months to repair the damages. This is the secret of the failure of the Oriel to go out on a trial trip with the other ships last week.

DRAWING IN HIS LINES. Kuropatkin Is Concentrating His

Forces at Liao Yang. St. Petersburg, Aug. 29.—12:50 p. m.— General Kuropatkin since yesterday morning has been drawing in all his showing signs of great fatigue and forces from his eastern and southern scrambling for food at the commissary hardships. The enormous army, the last of which passed out on the Lan valley at 5 o'clock this afternoon seems to fill the entire plain from the foothills to the ancient walls. The army was disposed in an orderly manner through the vast fields of Chinese corn, the soldiers singing as they went into camp, despite their unbroken series of reverses, while the baggage and transport

with bayonets. The position at Tzgow and Apping were held by the Tenth European corps. The attacks were delivered with fanatical bravery. The verses, while the baggage and transport trains caught in the muddy rivulets, attracted the cheery assistance of everybody. Nothing apparently affected the heartiness of the men in the ranks. The line of wounded men which reached the great east gate this evening, passed the second of the great east gate this evening, passed the second of the great east gate this evening. The line of wounded men which reached the great east gate this evening, passed the second of the great east gate this evening. the great east gate this evening, passed silently through the streets as deserted as the aisles of the catacombs. The litter bearers, with their solltary lanterns, presented an impressive spectacle, awing the Chinese, who today for the first time realized the imminence of a battle.

The Fighting Up to Date.

St. Petersburg, Aug. 29.—5:05 P. M.—The operations around Liao Yang have undergone a complete change. Owing to the delay in the concentration of General Kuropatkin's army as a result of the terrible condition of the roads, the Japanese solved the Japanese column moving up the little of the strike of the str

forces in 1870. It is doubted by the experts of the writings of fallure of the Japanese to follow up the retiring Russians.

It is understood that the peace pact which the leaders have prepared provides that the men shall be taken back as union men and the wage scale in Lina river and threatening General Lina river and threatening General Lina river and threatening General Construed as being extremely dangerous and General Herachelmann's position at An Ping and to be moving toward Mukden. The strength of the enveloping Japanese armies may be judged from the fact that General Oku alone who is coming from the south, is officially reported to have 7%.

Russia Will Make Substitute and origin in the beliefs of heathen nations, and expressing the opinion that many of the writings of the bible are not inspired products of their attributed authors Prof. John a union men and the wage scale in the bible are not inspired products of the tributed authors Prof. John a union men and the wage scale in the bible are not inspired products of the tributed authors Prof. John a union men and the wage scale in the bible are not inspired products of the tributed authors Prof. John a union men and the wage scale in the bible are not inspired products of the tributed authors Prof. John a union men and the wage scale in the bible are not inspired products of the tributed authors Prof. John a union men and the wage scale in the bible are not inspired products of the inclina of the writing and expressing the opinion that many of the writing and expressing the opinion that many of the writing and expressing the opinion that many of the writing and expressing the opinion that many of the writing describes the latest phase of the hostilities in a long dispatch to the emperior from a point on the railroad a few miles south of Liao Yang where practically the whole arms was assembled and awaiting battle. The telegram, which was filed early this morning may not be known positively for several days, but the belief several times says: eral days, but the belief several times indicated in these dispatches prevails here that he will withdraw northward, having found that he is not strong enough to cope with the Japanese and realising that Liao Yang is made no longer tenable on account of the Japanese threats at his west rear. His retirement undoubtedly will cause keen unbits disamointment as it was generally and the strong that t public disappointment as it was generally believed that he at last had sufficient reinforcements to accept a decisive engagement and by the military

the losses including General Fourneys ky and Colonel von Raaben.

The First, Second and Fourth corps, combined under the command of Gen, Zaroubaieff and the Tenth, Seventeenth and Third crops under General Ivanoff, as their retirement as soon as they reach the railroad will not be impeded, whereas it is likely to almost com-

FROM VLADIVOSTOK.

Shanghai, August 29.-Evening.-The German steamer Arabia, belonging to the Hamburg-American line has arrived here from Vladivostok. This is the vessel that was captured by the Russian Vladivostok squadron in July. A prize crew was put on board her and she was taken to Vladivostok where she arrived July 28. All the white men among her crew were well treated by the Russians. She was tried before a prize court, which condemned 20,000 barrels of flour and 71 railroad car bodies. The remainder of the cargo and the vessel were released.

The British steamer Cachas, from Ta-

coma for Japanese ports which was at-rested by the Vladivostok squadron 30 miles north of Tokio bay while the Russian warships were cruising off the Pacific coast of Japan last July was also taken into Vladivostok. and lumber on board the Calchas was confiscated by the Russians without awaiting the action of the prize court.

occupation of An Ping and Tanghoven says:

"On the Japanese advancing to attack An Ping the Russians evacuated the place, abandoning large quantities of stores.

"It is roughly computed that the Russian force around Liao Yang consists of thirteen divisions."

The Arabia brought also to Shanghai the Rev. C. A. Weed, Joplin; the Rev. J. D. Lamotke, St. Joseph; the Rev. J. D. Lamotke, St. Joseph; the Rev. J. D. Lamotke, St. Joseph; the Rev. J. B. Foster, Kansas City; the Rev. J. Stewart Smith, Kansas City; the Rev. J. Stewart Smith, Kansas City; the Rev. J. R. Atwill, Carthage.

Walter S. Trowbridge, Springfield; the Rev. J. R. Atwill, Carthage.

Wares Organ to Line Vans.

Wires Organ to Line Vans. and the town is full of officers and troops. Meat and flour are plentiful but sugar and cigars are scarce. The Russian cruisers Gromobol and Rossia arrived from their appropriate the sugar and cigars are scarce. The Russian cruisers Gromobol and Rossia arrived from their appropriate the sugar areas are scarce. The Russian cruisers Gromobol and Rossia arrived from their appropriate the sugar areas are scarce. slan cruisers Gromobol and Rossia arrived from their engagement August 14, with the Japanese fleet under Vice Admiral Kakmimura, in a terribly damaged condition. It is remarkable that they were able to make port at all. The repairs to the Russian cruiser Rogaty.

Indications Point to an Early Settlement or Surrender.

Leaders Find It Hard to Hold Men in Line.

WILLING TO GIVE UP

On Any Terms That Will Look Like a Settlement.

Packers Say Only Unconditional Surrender Will Be Accepted.

Chicago, Aug. 29.-Representatives of

ers a peace proposal which they can not 88.

them will be rehired in packing town, dress but there are thousands who must look elsewhere for employment and they should be released so they can begin their hunt for work outside the stock

sions Regarding Contraband.

London, Aug. 29.—The Rusian gov-ernment has biven assurances to Great Britain that there is absolutely no ground for the charge that the Rus-sian warships are discriminating sian warships are discriminating against British shipping in favor of German or other shipping in connec-tion with their options to search for ontraband. It is explicitly stated that Russia is not pursuing British ships, German ships, or ships of any other nationality, but that she is solely pur-

Associated Press is informed that the commission will discuss the advisability of modification of the Russian regulations governing contraband. The foreign office understands it is the purpose of Russia to conciliate the United States on this subject. Russia will make substantial concessions, which are expected to go toward satisfying both countries. At the same isfying both countries. At the same time Russia has made it clear to Great Britain that some latttude must be given her in the way of seizing goods onditionally contraband, provided tostile destination is suspected as remier Balfour in his last statement referred to the necessity of neutrals recognizing the rights possessed by belligerents. It is believed in Russian diplomatic circles that an agreement will shortly be reached.

EPISCOPAL DELEGATES.

Several Topeka Priests Will Attend the Boston Convention.

Boston, Aug. 29.—A list of the delegates appointed from all parts of the world to the Episcopal general convention here in October has been vention here in October has been given out by the convention commit-tee. The list of western delegates in-

Missouri-The Rev. James R. Winchester, St. Louis; the Rev. Carrol M. Davis, St. Louis; the Rev. William Short, St. Louis; the Rev. Edmund The Calchas is now at Vladivostok with the balance of her cargo on board.

The Arabia brought 90 bags of mail for Japan which were taken from the Calchas. With the exception of two small Japanese sailing vessels, the only other prize at Vladivostok is the British steamer Allanton.

The Arabia brought also to Shanghai the cantain and crew of the German.

The Arabia brought also to Shanghai the Rev. C. A. Weed, Joplin; the Rev. the Rev. C. A. Weed, Joplin; the Rev. C. A. Weed, Joplin; the Rev. The Rev.

Made a Speech at his Old Home in LIKE UNTO METZ. GOVERNOR IS AT HOME.

Governor and Mrs. Balley returned Sunday from Lanark, Illinois, where Governor Balley spoke at Carroll county old settlers' meeting. Governor Balley's father and mother were charter members of the association when it was organized 50 years ago. "From what I saw and heard in Illinois I am confident that the state will go Republican both for the state and go Republican both for the state will go Republican both for the state and the national tickets," said Governor Bailey. "Everything is in fine condi-tion in Illinois, both m politics and agriculture. Illinois will have an im-mense corn crop if the frost holds off."

OPENING AT BAKER.

Among the Orators Will Be Governor Bailey, H. J. Allen and E. W. Hoch.

Baldwin, Kas., Aug. 29 .- Baker will ers a peace proposal which they can not decline to accept," they told the men.

"There is nothing left for the men but unconditional surrender," said a packer.

"The leaders should not hesitate in calling the strike off so that the men who are anxious can find work. Many or

DOUBTS MOSES.

Prof. Mahaffy Doesn't Believe Author of Genesis Was Inspired.

German ships, or ships of any other nationality, but that she is solely pursuing contraband. This assurance has gone far to allay the pritation of the government there which had been receiving official information indicating discrimination.

The foreign office has also been officially advised of the appointment of the joint commission representing the Russian and foreign morms ministries.

Russian and foreign morms ministries are suited as many good people have been taught to believe. The serpent is merely the most subtle beast of the field not the evil one.

"Christianity is not a new thing, but it is the gathering of all the great truths and the weaving of them into the glorious texture of Christian Russian and foreign morms ministries and foreign morms ministries."

Tun onto the floor and into the street.

After completing their work of destruction there, they were joined by about twenty-five other women, and the entire party started on the raid of four other joints with hatchets. Everything in sight at these places was smashed.

When the women arrived at the city jail they found it filled to the roof with beer, which soon yielded to the struction there, they were joined by about twenty-five other women, and the entire party started on the raid of four other joints with hatchets. Everything in sight at these places was smashed.

When the great truths and the weaving of them into the glorious texture of Christian faith."

both of England and America for narrowness and bigotry in their creeds. "Each church thinks that the other's doctrine is false," he declared. we, then make religion so small and exclusive that it cannot even embrace all the Christians of our own nation?"

ONE LEGGED MAN WON.

Swimming Contest From Brooklyn Bridge to Coney Island.

New York, Aug. 29 .- An endurance pervision of the volunteer life saving corps has resulted in victory for a for trial."
man with one leg. The winner was
Charles Seigfried of Bay Ridge, who
covered the distance in five hours and

Two young women were close be-hind him at the finish. One of them fainted after they had led nearly the entire distance. Otherwise they probably would have won. Both have pa ticipated in numerous matches as showed remarkable skill. Nearly all cause of the cold water and swift tidal currents. Several were delirious when

HIS LETTER FINISHED.

First Draught of Acceptance.

Oyster Bay, L. I., Aug. 29.—President Roosevelt devoted his time today almost entirely to recreation. He and Secretary Lock transactor. and Secretary Loeb transacted some official business, but the volume of government matters was comparatively light. Work on the latter of acceptance has been completed substantially and the document now is being transcribed in final form. It will be placed in the hands of the force, had a narrow escape from death priner in a day or two.

FELL OFF A TRAIN.

B. M. Bodworth of Clifton, Kansa Seriously Injured.

B. M. Bodworth of Clifton, Kas., fell CAN'T HOLD OUT LONG.

General Stoessel Cables the Czar
Regarding Port Arthur Situation.
St. Petersburg, Aug. 29.—4 p. m.—
It is reported from a reliable source that Lieutenant General Stoessel, Lieutenant General Stoessel, Lieutenant General Stoessel, Commander of the Russian military commander of the Russian military of material used in construction of forces at Port Arthur, has telegraphed to the emperor thanking him for several stoessel, and the were able to make port at all. The repairs to the Russian cruiser Bogatyr which was damaged by running aground a repair to the Russian cruiser Bogatyr which was damaged by running aground the Akron Glant, has challenged of a fight at any time named by Jeffries. Since his last fight with Sandy Ferguson, Ruhlin Centre to Kansas City and in some time named by Jeffries. Since his last fight with Sandy Ferguson, Ruhlin Centre to Kansas City and in some time named by Jeffries. Since his last fight with Sandy Ferguson, Ruhlin Centre to Kansas City and in some time named by Jeffries. Since his last fight with Sandy Ferguson, Ruhlin Centre to Kansas City and in some time named by Jeffries. Since his last fight with Sandy Ferguson, Ruhlin Centre to Kansas City and in some time for time from the train near Perry. It is reported from a reliable secures of the Russian cruiser Bogatyr high with was a passentite to Kansas City and in some time for time from the train near Perry. It is reported from a reliable secures of the Akron Glant, has challenged to Kansas City and in some Centre to from a Rock Island excursion train near Williamstown Sunday and was picked up by farmers and taken to Perry. Mr. Bodworth was a passen-

German Military Experts Discuss Situation at Liao Yang.

Kuropatkin's Defenses Are of Extraordinary Strength.

EQUALIZE DIFFERENCE

Between the Size of the Opposing Armies.

Russians Are in Danger of Being Bottled Up.

Berlin, Aug. 29.-German military mer Chicago, Aug. 29.—Representatives of the packers held a long secret meeting this forenoon. They decline to make any statement concerning its purpose beyond denying that any communication had been received from the strike leaders.

With the strike relief funds depleted and crowds of hungry men vainly scrambling for food at the commissary stores, it taxed the labor leaders to find a way to prevent a stampede from the union ranks today. "Wait until tomorrow and we shall present to the packers a peace proposal which they can not the first this forenoon. They decline to make begin her forty-seventh year Tuesday, September 13, which is enrolling day. On Wednesday, also, there will be the laying of the cornerszone of the Case beyond denying that any communication had been received from the strike leaders.

With the strike relief funds depleted and crowds of hungry men vainly scrambling for food at the commissary stores, it taxed the labor leaders to find a way to prevent a stampede from the union ranks today. "Wait until tomorrow and we shall present to the packers a peace proposal which they can not the classes will be organized and the annual opening address will be delivered by P. P. Campbell of the class of '88. At night will occur the inaugtillery could be effective. The entire line of fortifications is connected through passages for facilitating the reinforcement of endangered points, while bomb

uation is recognized as one of being bottled up like Field Marshal Bazaine greatest truths of the Christian religion to an origin in the beliefs of heathen nations, and expressing the opinion that many of the resistance of the project of the resistance of the resista

itive peoples," said the speaker. "The trinity comes from the documents of the Egyptians and Indians and the incarnation from Budenism. It is remarkable that the notice of sacrince appears not only in the religions of all civilized nations, but also in the lower races commonly called heathen and primitive and whose notions of rerigion were very cruds.

"I do not believe that Genesis is an inspired book and that Moses was directly inspired in writing his account of the origin of the world. He used old documents of the Egyptians and Mesopotamians and did not write from direct observation.

"The serpent in the garden of Eden was not satan disguised as many good"

sorts and Cuba Jail.

Cuba. Kan.. Aug. 29.—Saturday afternoon Mrs. E. O. Fites and Mrs. William McDonald, the wives of two of the state of Kansas, in accordance with law and with the purpose of promoting the general welfare, do recommend that Monday. September 5, the most prosperous and respected citizens in town, it is charged, the state offices be closed; that so far as possible all business be suspended that the people everywhere may give molished the bar and fixtures, broke every bottle in the ice box and opened old documents of the Egyptians and Mesopotamians and did not write from direct observation.

"The serpent in the garden of Eden was not satan disguised as many good"

After completing their work of destruction there, they were joined by

or. Mahaffy blamed the churches of England and America for nar-owness and bigotry in their creeds. Fach church thinks that the other's Each church thinks that the other's gutters. Kegs were thrown into the streets, bungs driven in and the con-

The women wound up with the announcement that if anyone under-takes to run a joint here he will sooner or later meet the same fate that was meted out to these jointists. Up to noon of Monday there had been no arrests. A committee of wo-men called on Judge Brown and asked him what action he expected to take in the matter. Judge Brown replied that it would be highly improper for him to express any opinion in the matter before a complaint had been filed against them. "But," he added "you may rest assured I will do my duty if the matter comes before me

PEN IN HAND.

Judge Parker Is Putting in the Day or His Letter.

Esopus, N. Y., Aug. 29.—Uninter-upted work on his letter accepting the Democratic nomination for president and elaborating his views upon the questions at issue in the campaign was Judge Parker's programme paign was Judge Parker's program today. William F. Sheehan returned

New York on the early train after spending Sunday at his summer home here. During his stay he has had in all several hours' conference with the candidate, during which the political President Roosevelt Has Completed situation, especially in the east, has been discussed.

Fe Tosses a Wagon Load Hogs From the Track.

this morning while driving to town with a load of hogs. When crossing the Santa Fe tracks his wagon was struck by the Colorado fiyer, passenger No. 10, and made into kindling wood. The strange part of it was Hulen and his horses escaped death and only one hog was killed.

HE SAW SPIRITS.

That is What Troubled Mr. Henry Steffens.

The county officers took turns this morning listening to the troubles of a demented man who was bothered with spirits. Henry Steffens, who is employed at the Throop hotel, began first at the attorney general's office and was referred to the county attorney. He came to Hungate's office this morning and demanded that a bunch of spirits he driven out of his system. of spirits be driven out of his system He said that the spirits worked on hi comething like a combination of dy something like a combination of dyspepsia and jim-jams, and had been left with him by a Mrs. Maloney, Hungate looked around to see if the window was open, and told Steffens that the sheriff was an expert on the removal of spirits, and should be consulted. So the man went down stairs and told Sheriff Lucas about it. Lucas axid that Probate Judge Hayden was said that Probate Judge Hayden was a spook specialist, so they went across the hall and talked to Judge Hayden the hall and talked to Judge Hayden. After he had talked to the probate judge a while a deputy took the man over to the county jail for treatment. "I really believe that man is demented," said Judge Hayden as soon as the incident soaked in on him.

ATTEMPTED HOLD UP.

ern Pacific Roadmaster.

Frustrated by Ben Johnson, a North-

Butte, Mont., Aug. 29.—A Miles City, Mont., dispatch says. It is believed that Roadmaster Ben ment of endangered points, while bomb proof retreats covered with steel rails protect reserves. All important points have telegraphic communication with headquarters.

The German critics think Liao Yang's defenses about equalize the difference in numbers between the Russians, estimated at 180,000, and the Japanese, numbering 240,000. The danger of Gen. Kuropatkin's situation is recognized as one of being the seach.

man who went to the rear of the train was told to get back in the car by a man with a revolver. The passengers who went back to investigate were also driven away. Roadmaster Johnson got off two stations east and telegraphed to Sheriff Savage to meet the train at Miles City. The sheriff was there with a posse, but the suspect jumped off opposite the section house. Johnson followed and grapled with him, but he broke away and disappeared. They exchanged two shots each.

LABOR DAY PROCLAMATION.

Governor Bailey Issues His Annual Statement.

Governor Bailey today issued the Labor day proclamation, setting Sep-tember 5 as the date. The proclamaion is as follows:

Our lawgivers, both state and na-tional, having recognized the dignity and importance of labor by proper legislation setting apart the first Monday in September in each year to give recognition to the great army of la-borers who contribute so much to produce the wealth and greatness of

hine of A. C. Webb of Toledo, O., ney Oldfield of Cleveland, O., lost con-tral of his machine in a false start of the fifth event of the world's fair automo-ble speed contest, and, crashing through the outer fence of the course, instantly killed John Scott, a watchman employed at the park, and inflicted injuries upon Nathan Montgomery, a negro, from from which he died a few hours later. Oldfield was painfully injured and his machine completely demolished,

GOV. BAILEY'S STRIKE.

Shoots Good Oil Well in Montgomery *County on 80-Acre Lease.

Cherryvale, Aug. 29.—Governor Bailey shot a good well at Wayside in Mont-gomery county recently. His company has eighty acres in one lease and eigh-ty in another. C. E. Foote of Topeka is

COAL IN ATCHISON.

managing the property.

A Thick Vein of First Class Fuel Is Struck by the Workers.

Atchison, Kas., Aug. 29.—Coal was struck at the shaft today beyond a doubt. The vein is a thick one and the coal first class.

LOOMIS GOES TO COLORADO.

Will Take Testimony in the Kansa Colorado Case.

today where he will continue taking evidence in the Kansas-Colorado suit over the diversion of water in the Arkansas river. S. S. Ashbaugh of Wichita will also

S. S. Ashbaugh of Wichita will also go to Colorado to help with the taking of testimony.

"We are taking enough time to do this work thoroughly," said Mr. Loomis today. "We have a good case and we think the indications are that we will eventually win the points we are fighting for. I cannot say today how long it will take to get the testimony which will be taken in Colorado."

New Men for Milwaukee. Bloomington, Ill., Aug. 29.—President Holland has been advised of the sale by Springfield to Milwaukee of Pitcher Hedges and Third Baseman Hankey. The former will probably not go to Milwaukee until after the "Three I" League season closes.

Weather Indications Chicago, Aug. 29.—Forecast for Kansas: Unsettled tonight and Tuesday, with probably local showers; easterly winds prevailing. Kansas: U

SUIT IS FILED.

School Fund Commission Forced Into Courts.

Political Managers Try to Bolster Them Up.

SUE STATE JOURNAL.

They Ask for the Modest Sum of \$45,000.

Action Can Not Be Tried Before Election.

Saturday afternoon, soon after 5 o'clock, C. C. Coleman, attorney general for Kansas, J. R. Burrow, secretary of state, I. L. Dayhoff, superintendent of instruction, the three state officers who comprise the state school fund commission, and who bought the \$123,000 of Comanche county bonds from A. A. Godard, filed suits in the Shawnee county district court against Frank P. Mac-Lennan, proprietor of the State Journal. The petitions in each suit were identical and each asked for \$15,000 damages because the plaintiff claimed to have had his character damaged to

Mr. Coleman, Mr. Burrow and Mr. Dayhoff are all three officeholders at present and are all candidates on the Republican ticket for re-election to the

offices they now hold. Mr. Coleman, Mr. Burrow and Mr. Dayhoff, especially Mr. Dayhoff, have been indignant that the State Journal should print the facts about the Comanche county bond deal and criticise the official actions of these three members

official actions of those three members of the state school fund commission.

Mr. Coleman, Mr. Dayhoff and Mr. Burrow have been urged by party workers, and others, to do something. It has been explained to them, by politicians and others, that unless they retaliated in some way that the statements of the State Journal concerning the Comanche county bond deal would work against them at the coming elecork against them at the coming elec-

tion.
So, the three members of the school fund commission have brought damage suits against the State Journal but none of these suits will be triable in the district court, or any other court, before the election in November. In fact they will not be triable before January, 1965.
The next term, the September term, of the Shawnee county district court begins September 6. To be triable at a coming term of court a case must be

begins September 6. To be triable at a coming term of court a case must be filled in time to have the issues made up ten days before the beginning of the next term. Ten days will not elapse between August 27 and Tuesday, September 6, but resides that after a case is filed by the plainting the defendant is given thirty days to answer and then the defendant is given ten days in which to reply, which means that with the thirty days to answer, the ten days to reply and the ten day limit before the beginning of the next term of court that a case

the next term of court that a case must be filed 50 days before the beginning of a term.

The petition in each of the three damage suits filed in the district court Saturday afternoon against the State Journal, after giving the name of the

plaintiff, etc., says:
"That until the commission by the defendant of the wrongs hereinafter set forth, this plaintiff had always sustained a good character and reputation and had been reputed and cepted in the community and in the state of Kansas and in the adjoining states to be a person of good name, fame and credit, and had never been suspected of entering into any con spiracy to loot or cheat the school fund of the state of Kansas, or to com mit any wrong whatever concerning said school fund, or of corruptly conspiring with others to cause a loss to the state of Kansas, or to profit by any 'rake-off,' or unlawful 'commisany 'take-off,' or unlawful 'commis-sion,' or corrupt earnings, or result of any conspiracy, or any other unlawful conduct concerning any school fund of the state of Kansas. Nor had he ever been suspected of having corruptly advised or influenced the auditor of the state of Kansas, or any other state officer, to register any bonds, or to do any other thing other than his official duty, or of baying corruptly advised any other thing other man his official duty, or of having corruptly advised said board of commissioners to use an improper basis of assessed valuation for the purchase or bonds, or of having deprived or assisted in depriving the said school fund of any money or interest in order to give anyone any commission or profit, or of having done anything 'crooked' or 'irregular' in the purchase of bonds for said fund, or of having forced any questionable or unlawful or corrupt deal concerning the same, or of any conduct 'black ing the same, or of any conduct 'black and ugly,' or of carrying out or of and ugly, or of carrying out or of acy by which said sencol fund was looted, or of any dishonest or corrupt

"That the said Frank P. MacLennan for a number of years has been and was on August 20, 1904, engaged in publishing a newspaper in Topeka, Shawnee county, Kansas, called The Topeka State Journal,' said newspaper being published daily except Sunday and having a large circulation throughout the state of Kansas and adjoining states.

"That said defendant, well knowing the premises and contriving wickedly "That said defendant, well knowing the premises, and contriving wickedly and maliciously intending to injure this plaintiff in his good name, reputation and credit and to bring him into public scandal, infamy and disgrace among the citizens of the state of Kansas and adjoining states, and to cause it to be suspected and believed by them that this plaintiff had entered into a conspiracy to look or plunder the school suspected and believed by them that this pialnitif had entered into a conspiracy to loot or plunder the school fund of the state of Kansas, and of having corruptly conspired to cause a loss to the state of Kansas and to profit by a 'rake-off' or corrupt reward for such conspiracy or earnings thereby, and of baving corruptly advised and influenced the auditor of the state of Kansas to register certain bonds in violation of his, the said auditor's official duty, and of having corruptly advised said board of commissioners to use an improper basis of assessed valuation for the purchase of bonds, and of having assisted in depriving the said state school fund of \$52,520 interest, in order to allow another person a commission or profit of \$5,000, and of carrying out a conspiracy by which said school fund was looted, and of conduct black and ugly respecting said fund, and maliciously to defame plaintiff and expose him to public hatred and con-

onduct. "That the said Frank P. MacLennan

(Continued on Page Six.)